

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MOHAMAD IBRAHIM SHNEWER : Honorable Robert B. Kugler
: Civ. No. 13-3769 (RBK)
: Crim. No. 07-459 (RBK)
V. :
: UNITED STATES OF AMERICA :

**PRIVATE: OBJECTION TO THE EVIDENTIARY DECLARATIONS OF
AUSA FITZPATRICK AND DEFENSE ATTORNEY CIPPARONE UNDER SEAL**

Under the general purpose of the Rules of Evidence § 102
fairness is essential for securing a just determination.

The objections are lodged privately and under seal because it
is believed necessary for obtaining the fairness intentions of
evidentiary rules.

I believe the declarations supplied were self-serving and a
collaboration to change the facts of history. This is the kind of
impeachable conduct under Rule § 607 that a competent attorney at
an evidentiary hearing can expose. However, if this objection is
not kept under seal and the parties are given notice the opportu-
nity for suring up the collaboration against the surprise of examin-
ation, I believe substantially prejudices my opportunity to a fair
hearing. Under rule §614(a)(b) the court has authority to call
these witnesses and examine them on its own if it should not grant
an evidentiary hearing. I would encourage this court at the very
least to test the veracity of these declarations against the rec-
ord if I am not given the opportunity of cross-examination. Rule
§ 611(a)(1) is for determining the truth and since a viable consti-
tutional claim rest upon these facts the pedantic diligence and

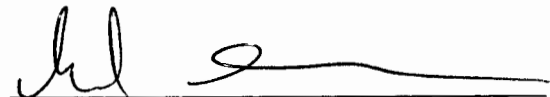
carefulness of this court is essential for me to have a fair hearing. However, it is believed that cross-examination at an evidentiary hearing is the best method for fully exposing the 6th amendment deficiencies I suffered under Mr. Cipparone. This with the Court's knowledge of my objection to these declarations against the record held under seal gives the court the full spectrum of oversight of the facts and law in question. A life sentence should weigh heavily for giving every benefit of the doubt until certainty puts all questions to rest.

Under a fair examination calling witnesses that could rebut or impeach these declarations would expose that Mr. Cipparone was below legal standards of representation and being restored to the remedy of pre-trial would give me and new counsel just opportunity to enter into realistic plea negotiations that survive constitutional scrutiny. With reiteration I prefer a plea settlement that could help me avoid a life sentence and not a new trial.

AFFIRMATION

I, Mohamad Abraham Shnewer, being majority in age, competent for testifying do declare and state that the above facts are true, correct, not misleading, and as for those facts based upon belief I believe them true, reserving the right for amending for truth, clarity, and justice. Done under the penalty of perjury by and through 28 U.S.C. § 1746.

February 13, 2015


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